Willkie Farr & Gallagher LLP Attorneys for 360networks Corporation Alan J. Lipkin (AL-7484) Eilish M. Cahalan (EC-0179) Adam S. Ross (AR-0425) 787 Seventh Avenue New York, New York 10019 (212) 278-8000

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

STATEMENT OF ISSUES AND DESIGNATION OF RECORD ON APPEAL FROM ORDER EXPUNGING CLAIM NUMBER 5 ENTERED BY THE BANKRUPTCY COURT ON JANUARY 2, 2008 [DOCKET NO. 951]

360networks Corporation ("360networks"), by and through its undersigned counsel, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, hereby submits its statement of the issues to be presented and designates the record on appeal to the United States District Court for the Southern District of New York with respect to the order of the Bankruptcy Court expunging claim no. 5 of 360networks Corp., entered as docket number 951 in this case on January 2, 2008, the post-trial decision expunging claim no. 5, entered as docket number 946 in this case on December 13, 2007, the opinion and order of the Bankruptcy Court granting in part and denying in part cross-motions for summary judgment, entered as docket number 642 in this case on June 28, 2005, and the opinion and order of the Bankruptcy Court granting limited reargument, but upon reargument, adhering to the original decision, entered as docket number 690 in this case on November 10, 2005.

Case 1:08-cv-03148-RJH

Issues to be Presented on Appeal

- 1. Did the Bankruptcy Court err in concluding that despite the fact Asia Global Crossing Ltd. ("AGC") anticipatorily repudiated AGC's Guaranty of GC Bandwidth's obligations to 360networks under the Master Agreement, 360networks still had to prove it was ready, willing and able to perform under the Master Agreement solely to recover 360networks' \$100 million prepayment under the Master Agreement?
- 2. In determining whether or not 360networks was ready, willing and able to perform under the Master Agreement, did the Bankruptcy Court err by either: (a) overstating or misapplying 360networks' burden of proof by, <u>inter alia</u>, requiring 360networks to show an actual plan to order Asian capacity, or (b) making inferences favoring the Chapter 7 Trustee for AGC instead of in favor of 360networks as the nonbreaching party?
- 3. Did the Bankruptcy Court err in holding that AGC did not anticipatorily breach its Guaranty earlier than January 29, 2003?

Designation of Items to Be Included in the Record on Appeal¹

Date	Docket Number	Document Description
11/17/2002	# 02-15749-smb	Voluntary Petition (Chapter 11). Order for Relief Entered. Asia Global Crossing Ltd.
11/17/2002	# 02-15749-smb	Affidavit of Stefan C. Riesenfeld pursuant to Local Rule 1007-2 filed by David M. Friedman on behalf of Kasowitz, Benson, Torres & Friedman LLP.
11/17/2002	# 02-15749-smb	Motion to Approve (A) Authorizing and Scheduling an Auction for the Sale of All or Substantially all of the

¹ Each designated item includes any exhibits to such item. Each reference to "Docket No. __" includes all documents within that Docket number.

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3	17	Debtor's Assets Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (B) Approving Bidding and Auction Procedures, (C) Approving a Break-Up Fee and Other Bid Protections, (D) Approving Procedures to Determine Cure Amounts Relating to Assumed Contracts, (E) Approving Notice Procedures, Including the Form, Manner and Scope of Notice, in Connection With the Auction and the Sale Hearing, (F) Setting a Deadline for Filing Objections to Debtor's Motion Seeking Approval of Sale, And (G) Setting a Date and Time for Hearing on Proposed Sale Resulting from Auction filed by David M. Friedman on behalf of Kasowitz, Benson, Torres & Friedman LLP. (Attachments: #1 Exhibit A#2 Exhibit B#3 Exhibit C#4 Exhibit D#5 Exhibit E#6 Exhibit F)
11/17/2002	# 02-15749-smb 18	Motion to Approve (1) Approving the Terms and Conditions of Agreement Providing for the Sale of Substantially all of the Debtor's Assets Free and Clear of Liens, Claims, Encumbrances and Other Interests, (2) Authorizing and Approving the Assumption and Assignment of Related Executory Contracts, (3) Authorizing Debtor to Consummate the Transactions Contemplated in Sale Agreement and (4) Determining that Sale is Exempt from Stamp Taxes Under Section 1146(c) of the Bankruptcy Code filed by David M. Friedman on behalf of Kasowitz, Benson, Torres & Friedman LLP. (Attachments: #1 Exhibit A#2 Exhibit B#3 Exhibit C#4 Exhibit D)
12/02/2002	# 02-15749-smb 62	Appointment of Official Creditors' Committee of Unsecured Creditors filed by Lauren Landsbaum on behalf of Carolyn S. Schwartz.
12/05/2002	# 02-15749-smb 81	Response Of Asia Global Crossing Ltd. To The Objections Of The Official Committee Of Unsecured Creditors And The United States Trustee To Motion For An Order, (A) Authorizing And Scheduling An Auction For The Sale Of All Or Substantially All Of The Debtor's Assets Free And Clear Of All Liens, Claims, Encumbrances And Other Interests, (B) Approving Bidding And Auction Procedures, (C) Approving A Break-Up Fee And Other Bid Protections, (D) Approving Procedures To Determine Cure Amounts Relating To Assumed Contracts, (E) Approving Notice Procedures, Including The Form, Manner And Scope Of Notice, In Connection With The Auction And The Sale

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		Hearing, (F) Setting A Deadline For Filing Objections To Debtor's Motion Seeking Approval Of Sale, And (G) Setting A Date And Time For Hearing On Proposed Sale Resulting From Auction filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
12/10/2002	# 02-15749-smb 82	Order Granting Motion (A) Authorizing and scheduling an auction for the sale of all or substantially all of the debtor's assets free and clear of all liens, claims, encumbrances and other interests, (B) approving bidding and auction procedures, (C) approving a break-up fee and other bid protections, (D) approving procedures to determine cure amounts relating to assumed contracts, (E) approving notice procedures, including the form, manner and scope of notice, in connection with the auction and the sale hearing, (F) setting a deadline for filing objections to debtor's motion seeking approval of sale, and (G) setting a date and time for hearing to approve sale resulting from auction signed on 12/10/2002.
01/16/2003	# 02-15749-smb 136	Pacific Crossing's Objection to the Debtor's Motion to (1) Sell Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Encumbrances and other Interests; (2) Authorizing Assumption and Assignment of Related Executory Contracts (3) Authorizing Debtor to Consummate the Transactions Contemplated in Sale Agreement filed by Beth E. Levine on behalf of Pacific Crossing, Ltd., PC Landing Corp. (Attachments: # 1 Exhibit A)
01/24/2003	# 02-15749-smb 144	Response of Asia Global Crossing Ltd. to Pacific Crossing's Objection to the Debtor's Motion to (1) Sell Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Encumbrances and Other Interests, (2) Authorizing Assumption and Assignment of Related Executory Contracts, (3) Authorizing Debtor to Consummate the Transactions Contemplated in Sale Agreement filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
01/28/2003	# 02-15749-smb 148	Memorandum of Law of Asia Global Crossing Ltd. in Support of Relief Under Section 1146(c) of the Bankruptcy Code Requested in the Motion of Asia Global Crossing Ltd. for an Order, Pursuant to Sections 105(a), 363(b), (f) and (m) and 1146(c) of the Bankruptcy Code and Fed. R.

		Bankr. P. 6004 and 6006, (1) Approving the Terms and Conditions of Agreement Providing for the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Encumbrances and Other Interests, (2) Authorizing and Approving the Assumption and Assignment of Related Executory Contracts, (3) Authorizing Debtor to Consummate the Transactions Contemplated in Sale Agreement and (4) Determining that Sale is Exempt from Sale Taxes Under Section 1146(c) of the Bankruptcy Code (attached are Exhibit A - Excerpt of Transcript and Exhibit B - Affidavit of Richard F. Casher) filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
01/28/2003	# 02-15749-smb 149	Notice of Filing of Affidavits in Support of Motion of Asia Global Crossing Ltd. for an Order, Pursuant to Sections 105(a), 363(b), (f) and (m), 365 and 1146(c) of the Bankruptcy Code and Fed. R. Bankr. P. 6004 and 6006, (1) Approving the Terms and Conditions of Agreement Providing for the Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Encumbrances and Other Interests, (2) Authorizing and Approving the Assumption and Assignment of Related Executory Contracts, (3) Authorizing Debtor to Consummate the Transactions Contemplated in Sale Agreement and (4) Determining that Sale is Exempt from Stamp Taxes Under Section 1146(c) of the Bankruptcy Code (Exhibit A - Affidavit of Stefan Riesenfeld, Exhibit B - Affidavit of Jim Millstein, Exhibit C - Affidavit off Alexander F. Stern, Exhibit D - Affidavit of Richard F. Casher, Exhibit E - Affidavit of Xingcha Fan) filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
03/07/2003	# 02-15749-smb 189	Motion of the Debtors Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure for Approval of Settlement Agreement with Global Crossing Ltd. (filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
03/14/2003	# 02-15749-smb 201	Objection of Asia Global Crossing Ltd. to the Proof of Claim of Pacific Crossing, Ltd. filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
03/31/2003	# 02-15749-smb 224	Order signed 3/31/2003 Granting Motion to Approve Settlement Agreement with Global Crossing Ltd.

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04/14/2003	# 02-15749-smb 242	Amended Appointment of Official Creditors' Committee of Unsecured Creditors filed by Lauren Landsbaum on behalf of Carolyn S. Schwartz.
04/15/2003	# 02-15749-smb 248	Final Application for Interim Professional Compensation for Lazard Freres & Co. LLC, Other Professional, period: 11/17/2002 to 3/15/2003, fee: \$3,500,000.00, expenses: \$7,046.26 (filed by Lazard Freres & Co. LLC.)
05/01/2003	# 02-15749-smb 273	Disclosure Statement with Repect to Joint Liquidating Chapter 11 Plan of Reorganization of Asia Global Crossing Ltd. and Asia Global Crossing Development Co. (Exhibit A - Joint Liquidating Chapter 11 Plan of Reorganization of Asia Global Crossing Ltd. and Asia Global Crossing Development Co., Exhibit B - Scheme of Arrangement, Exhibit C - Explanatory Statement) filed by David M. Friedman on behalf of Asia Global Crossing Ltd.
11/05/2004	# 02-15749-smb 499	Amended Trustee's First Omnibus Objection to Proofs of Claim filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: #1 Exhibit A: Amended and Superseded Claims #2 Exhibit B: Duplicate Claims #3 Exhibit C: Multiple Claims #4 Exhibit D: Time Barred Claims #5 Exhibit E: Settled Claims #6 Exhibit F: Claims Disallowed Under Section 502(d) #7 Exhibit G: Obligations Assumed by Third Party #8 Exhibit H: Insufficient Supporting Documentation/ Books and Records #9 Exhibit I: Unliquidated Claims #10 Exhibit J: Equity Interests #11 Exhibit K: Proposed Order)
11/18/2004	# 02-15749-smb 517	Motion of Chapter 7 Trustee for Entry of an Order Authorizing and Approving (i) First Interim Distribution to Creditors of the Asia Global Crossing Ltd. Estate, and (ii) Establishment of Reserves for Disputed Claims, Certain Administrative Expenses, Certain Allowed Claims and Unknown or Unquantifiable Claims Against the Debtors' Estates filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit A: AGC Proposed First Interim Distribution # 2 Exhibit B: Analysis of Proposed Distribution and Reserve Percentages for Unsecured Creditors # 3 Exhibit C: AGC Reserve Analysis # 4 Exhibit D: AGC Proposed Disputed Claims Reserve and Proposed Distribution # 5 Exhibit E: AGCDC Proposed Disputed and Allowed Claims Reserve # 6 Exhibit F: PCL Letter

Assembly Activities	** * * * * * * * * * * * * * * * * * * *	
		Agreement # 7 Exhibit G: Proposed Order)
12/06/2004	# 02-15749-smb 528	Objection re: Response of 360networks Corporation to Trustee's First Omnibus Objection to Proofs of Claim (Claim No. 5) filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Exhibit A # 2 Exhibit B)
03/08/2005	# 02-15749-smb 574	Trustee's Reply to Response of 360Networks Corporation to First Omnibus Objection to Proofs of Claim filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit A: Master Agreement # 2 Exhibit B: Capacity Purchase Agreement # 3 Exhibit C: Relevant Provision of 360 Plan # 4 Exhibit D: Relevant Provision of GC Plan # 5 Exhibit E: Notice of Occurrence of Effective Date of GC Plan # 6 Exhibit F: GC Settlement Motion # 7 Exhibit G: 360 Settlement Motion)
04/22/2005	N/A	360networks Corporation's First Request for the Production of Documents Directed to Robert L. Geltzer, Chapter 7 Trustee.
04/22/2005	N/A	360networks Corporation's First Set of Requests for Admission Directed to Robert L. Geltzer, Chapter 7 Trustee.
04/26/2005	# 02-15749-smb 604	Chapter 7 Trustee's Motion for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit A)
04/27/2005	# 02-15749-smb 605	Declaration of Jonathan L. Flaxer in Support of Trustee's Motion for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation Part I filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F # 7 Errata G)
04/27/2005	# 02-15749-smb 606	Declaration of Jonathan L. Flaxer in Support of Trustee's Motion for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation Part II filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit H # 2 Exhibit I # 3 Exhibit J # 4 Exhibit K # 5 Exhibit L # 6 Exhibit M)

04/27/2005	# 02-15749-smb 607	Declaration of Jonathan L. Flaxer in Support of Trustee's Motion for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation Part III filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit N # 2 Exhibit O # 3 Exhibit P # 4 Exhibit Q # 5 Exhibit R # 6 Exhibit S)
05/06/2005	N/A	360networks Corporation's Second Set of Requests for Admission Directed to Robert L. Geltzer, Chapter 7 Trustee.
05/06/2005	# 02-15749-smb 611	360networks Corporation's Motion For Summary Judgment On Trustee's Objection To Claim Number 5 filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Notice # 2 Exhibit A)
05/06/2005	# 02-15749-smb 612	360networks Corporation's Memorandum of Law in Support of Motion for Summary Judgment and in Opposition to Chapter 7 Trustee's Motion for Summary Judgment on Objection to Claim Number 5 filed by Alan Jay Lipkin on behalf of 360networks Corporation.
05/06/2005	# 02-15749-smb 613	Declaration of Alan J. Lipkin in Support of 360networks Corporation's Motion for Summary Judgment on Trustee's Objection to Claim Number 5 and in Opposition to Trustee's Motion for Summary Judgment on the Trustee's Objection filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 4 # 5 Exhibit 5)
05/13/2005	# 02-15749-smb 619	Objection of 360Networks Corporation to Trustee's Motion for Summary Judgment on Trustee's Objection to Claim Number 5 filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Exhibit A)
05/18/2005	# 02-15749-smb 623	Chapter 7 Trustee's (i) Reply to Objection of 360networks Corporation to Chapter 7 Trustee's Motion for Summary Judgment on Objection to Claim Number 5, and (ii) Opposition to 360networks Corporations' Cross Motion for Summary Judgment filed by Jonathan L. Flaxer on behalf of Robert L Geltzer. (Attachments: # 1 Exhibit A: Global Crossing Ltd. 9019 Motion)

05/20/2005	N/A	Responses and Objections of Robert L. Geltzer, Chapter 7 Trustee, to 360networks Corporation's First Request for the Production of Documents.
05/20/2005	N/A	Responses and Objections of Robert L. Geltzer, Chapter 7 Trustee, to 360networks Corporation's First Set of Requests for Admission.
05/20/2005	# 02-15749-smb 626	Trustee's Response to 360networks' Statement Pursuant to Local Bankruptcy Rule 7056-1 filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
05/20/2005	# 02-15749-smb 629	360networks Corporation's Reply Memorandum of Law in Support of 360networks Corporation's Motion for Summary Judgment on Chapter 7 Trustee's Objection to Claim Number 5 and in Response to Chapter 7 Trustee's Opposition Thereto filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Exhibit A)
05/26/2005	# 02-15749-smb 637	Letter regarding hearing on May 24, 2005 at 10:00 a.m. in regards to Motion for Summary Judgment filed by Alan Jay Lipkin on behalf of 360networks Corporation.
06/28/2005	# 02-15749-smb 642	Written Opinion signed on 6/28/2005 granting in part and denying in part cross-motions for summary judgment.
07/08/2005	# 02-15749-smb 644	Notice of Motion to Set Hearing: Notice of Chapter 7 Trustee's Motion for Reconsideration of Decision on Cross- Motions for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
07/08/2005	# 02-15749-smb 645	Trustee's Memorandum of Law in Support of Motion for Reconsideration of Decision on Cross-Motions for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
07/08/2005	# 02-15749-smb 647	360networks Corporation's Motion Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure and Local Rule 9023-1 for Reconsideration of Portions of the Court's Opinion and Order, Dated June 28, 2005 filed by Alan Jay Lipkin on behalf of 360networks Corporation.

		(Attachments: # 1 Notice)
07/15/2005	# 02-15749-smb 650	360networks Corporation's Preliminary Objection to Chapter 7 Trustee's Motion for Reconsideration of Decision on Cross-Motions for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Alan Jay Lipkin on behalf of 360networks Corporation.
07/22/2005	N/A	Responses and Objections of Robert L. Geltzer, Chapter 7 Trustee, to 360networks Corporation's Second Set of Requests for Admission.
07/29/2005	# 02-15749-smb 655	Preliminary Reply of Chapter 7 Trustee to 360networks Corporation's Preliminary Objection to Chapter 7 Trustee's Motion for Reconsideration of Decision on Cross-Motions for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
09/26/2005	# 02-15749-smb 664	Memorandum of Law of 360Networks Corporation in Support of Motion Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure and Local Rule 9023-1 for Reconsideration of Portions of the Court's Opinion and Order, dated June 28, 2005 filed by Alan Jay Lipkin on behalf of 360networks Corporation.
09/26/2005	# 02-15749-smb 665	Trustee's Supplemental Memorandum of Law in Support of Trustee's Motion for Reconsideration, and Opposition to 360networks' Motion for Reconsideration, of Decision on Motion and Cross-Motion for Summary Judgment on Objection to Claim Number 5 of 360networks Corporation filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
10/12/2005	# 02-15749-smb 669	Memorandum of Law in Opposition to Chapter 7 Trustee's Motion for Reconsideration of Decision on Cross-Motions for Summary Judgment on Objection to Claim Number 5 of 360Networks Corporation filed by Alan Jay Lipkin on behalf of 360networks Corporation.
10/12/2005	# 02-15749-smb 672	Trustee's Response to 360networks Corporation's Supplemental Memorandum of Law in Support of Motion Pursuant to Rule 59(E) of the Federal Rules of Civil Procedure and Local Rule 9023-1 for Reconsideration of Portions of the Court's Opinion and Order, Dated June 28,

		2005 filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
10/12/2005	# 02-15749-smb 674	Declaration of Alan J. Lipkin In Support Of 360Networks Corporation's Memorandum of Law In Opposition to Chapter 7 Trustee's Motion for Reconsideration of Decision on Cross-Motions for Summary Judgment on Objection to Claim Number 5 of 360Networks Corporation filed by Alan Jay Lipkin on behalf of 360networks Corporation. (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 4 # 5 Exhibit 5 # 6 Exhibit 6 # 7 Exhibit 7 # 8 Exhibit 8 # 9 Exhibit 9 # 10 Exhibit 10)
10/21/2005	# 02-15749-smb 677	360Networks Corporation's Reply to Chapter 7 Trustee's Response to 360Networks Corporation's Supplemental Memorandum of Law in Support of Motion Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure and Local Rule 9023-1 for Reconsideration of Portions of the Court's Opinion and Order, Dated June 28, 2005; filed by Alan Jay Lipkin on behalf of 360networks Corporation.
11/10/2005	# 02-15749-smb 690	Written Opinion signed on 11/9/2005 Granting Limited Reargument, But Upon Reargument, Adhering to the Original Decision.
07/23/2007	# 02-15749-smb 894	Motion in Limine That The Trustee Is Barred From Raising Any Affirmative Defense filed by Jeanne Marie Luboja on behalf of 360networks Corporation. (Attachments: # 1 Exhibit A)
07/23/2007	# 02-15749-smb 895	Memorandum of Law filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
07/23/2007	# 02-15749-smb 896	Declaration of Jeanne M. Luboja filed by Jeanne Marie Luboja on behalf of 360networks Corporation. (Attachments: # 1 Exhibit 1-1 # 2 Exhibit 1-2 # 3 Exhibit 2 # 4 Exhibit 3 # 5 Exhibit 4 # 6 Exhibit 5)
07/31/2007	# 02-15749-smb 904	Joint Stipulated Facts filed by Jeanne Marie Luboja on behalf of 360networks Corporation.

08/02/2007	# 02-15749-smb 907	Transcript of Hearing Held on 7/27/07 at 11:42 a.m. filed by Veritext LLC.
08/28/2007	# 02-15749-smb 909	Letter to Honorable Stuart M. Bernstein from Jeanne M. Luboja dated August 28, 2007 re: post-trial argument filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
08/28/2007	# 02-15749-smb 910	360networks Corporation's Post-Trial Brief in Support of Allowance of 360Networks' Claim filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
08/28/2007	# 02-15749-smb 911	Statement re: Proposed Findings of Fact and Conclusions of Law filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
09/07/2007	# 02-15749-smb 918	Transcript of Hearing Held on 7/26/07 at 10:05 am filed by Veritext LLC.
09/20/2007	# 02-15749-smb 921	Findings of Fact and Conclusions of Law as Proposed by the Chapter 7 Trustee filed by Jonathan L. Flaxer on behalf of Robert L Geltzer.
10/03/2007	# 02-15749-smb 924	Amended Proposed Findings of Fact and Conclusions of Law filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
10/03/2007	# 02-15749-smb 925	Reply Brief In Further Support Of Its Arguments That Claimant Is Entitled To Relief filed by Jeanne Marie Luboja on behalf of 360networks Corporation.
12/13/2007	# 02-15749-smb 946	Post-Trial Decision signed on 12/13/2007 Expunging Claim No. 5
01/02/2008	# 02-15749-smb 951	Order signed on 1/2/2008 Expunging Claim No. 5 of 360Networks Corp.
01/11/2008	# 02-15749-smb 955	Notice of Appeal filed by Alan Jay Lipkin on behalf of 360networks Corporation

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Dated: January 22, 2008

WILLKIE FARR & GALLACHER LLP

y: **() X () X** Alan J. Lipkin (AL-

(A Member of the Firm)

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